



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 20599 of 2025 AND CRL A NO. 1374 OF 2025

1. S.Ilayaraja

S/o.Subramanian, No.47, Kubera
Pillaiyar Nagar, Tharapuram Road,
Tiruppur District.

Petitioner(s)

Vs

1. State rep. by

Inspector of Police, All Women Police
Station, Tiruppur South, Crime No.01
of 2022

Respondent(s)

PRAYER: To suspend the sentence imposed in the judgment dated 08.04.2025 in Spl.S.C.No.47 of 2022 on the file of the Learned Sessions Judge, Magalir Neethimandram (FTMC), Tiruppur under POCSO Act and enlarge the petitioner on bail pending disposal of the above Criminal Appeal and pass such further or other orders as this Honble Court may deem fit and proper in the circumstance of the case and thus render justice.

For Petitioner(s): S.Conscious Ilango
R.Kiruthiga Devi
M.P.Venkatakrisnan
R.Sangavi

For Respondent(s): Mr.V. Meganathan, Govt
Advocate

**ORDER**

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This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed in the judgment dated 08.04.2025 in Spl.S.C.No.47 of 2022 on the file of the Learned Sessions Judge, Magalir Neethimandram (FTMC), Tiruppur under POCSO Act and enlarge the petitioner on bail pending disposal of the above Criminal Appeal

2. The petitioner herein is the accused in Spl.S.C.No.47 of 2022 on the file of the Learned Sessions Judge, Magalir Neethimandram (FTMC), Tiruppur. He was convicted for the offence under Section 6 of POCSO Act and sentencing him to undergo 20 years Rigorous Imprisonment with a fine of Rs.10,000/- and in default to undergo Simple imprisonment for 6 months and for the offence under Section 506(i) of IPC to undergo 2 years Rigorous imprisonment with a fine of Rs.5,000/- and in default to undergo simple imprisonment for 6 months. Against which, the present appeal has been filed.

3. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal appeal and the petitioner/accused has got a fair chance of succeeding in the Criminal appeal and hence, the



substantive sentence imposed against the petitioner/accused may be suspended.

He would submit that the petitioner is ready to abide the condition imposed by this Court.

4. The learned Government Advocate would submit that the victim girl is secured and she is under the care and custody of the parents. However, considering the nature of offence he prays to dismiss this petition.

5. Considering the facts and circumstances of the case coupled with the quantum of punishment imposed upon the petitioner, also by considering the submissions of the learned counsel for the petitioner, further this Criminal appeal is not likely to be taken for final hearing in the near future, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions. Accordingly, till the disposal of the Criminal appeal, the reliefs of suspension of sentence and bail are granted on the following conditions:

- (a) the petitioner is directed to deposit a sum of Rs.50,000/- (Rupees Fifty thousand only), to the credit of Spl.S.C.No.47 of 2022 on the file of the Learned Sessions Judge, Magalir Neethimandram (FTMC), Tiruppur under POCSO Act without



prejudice his defence, within a period of three weeks from the date of receipt of a copy of this order.

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(b) the petitioner/accused is ordered to be released on bail, on executing a bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, in which one surety must be a blood related surety, each for a like sum to the satisfaction of the Spl.S.C.No.43 of 2018 on the file of the Learned Sessions Judge, Magalir Neethimandram (FTMC), Tiruppur under POCSO Act

(c) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Pass Books to ensure their identities.

(d) The petitioner shall appear before the Trial Court on every Tuesday at 10.30 a.m., until the disposal of the Criminal Appeal and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 355 of BNSS, 2023. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

(e) the defacto complainant is permitted to withdraw the amount, deposited by the petitioner, in Spl.S.C.No.47 of 2022 on the file of the Learned Sessions Judge, Magalir Neethimandram (FTMC), Tiruppur under POCSO Act on proper identification, in



the manner known to law.

(f) the petitioner shall not to have any communication with the victim family.

6. With the above directions, this Criminal Miscellaneous Petition is ordered.

7. It is seen from the impugned Judgment that the Court below has ordered Rs.3,00,000/- as compensation to the victim girl. Accordingly, the District Legal Services Authority, Tiruppur District is directed to refer the matter to the District Collector under the said Scheme.

8. The District Collector is directed to verify whether the compensation was paid to the victim girl which was awarded by the Court below, if not paid the compensation should be paid within a period of two weeks from the date of receipt of a copy of this order.

06-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To.

1. The Inspector of Police ,
All Women Police Station, Tiruppur South
2. The learned Sessions Judge, Magalir Neethimandran,(FTMC), Tiruppur
3. The Public Prosecutor, High Court Madras



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T.V.THAMILSELVI, J.

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